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**JAN 09 2009**

**OFFICE OF PETITIONS**

In re Application of :  
Weaver et al. :  
Application No. 10/030,601 :  
Filed: January 9, 2002 :  
Attorney Docket No. RCA 88813 :

**ON PETITION**

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed December 12, 2008, to revive the above-identified application.

The petition is not signed by an attorney of record and does not set forth an USPTO registration number. Petitioner should note that all documents submitted before the United States Patent and Trademark Office by a registered patent attorney must contain his/her registration number when acting in a representative capacity under 37 CFR 1.34. Nevertheless, the accompanying amendment does include the signature and registration number for the person signing the petition. Accordingly, the signature of Mr. Paul P. Kiel appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party on whose behalf he acts in accordance with 37 CFR 1.34.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, April 30, 2008, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on July 31, 2008. A Notice of Abandonment was mailed November 10, 2008.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$1,620, and (3) an adequate statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to Alicia Kelley at (571) 272-6059.

This application is being referred to Technology Center 2436 for further examination on the merits.

/SDB/

Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions